

MEETINGS TO DATE 2  
NO. OF REGULARS 1  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
JANUARY 24, 1977

A Special Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 24th day of January, 1977 at 6:30 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
PETER J. BOLENDER, COUNCILMAN  
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY  
EDWARD J. FERON, JR., TOWN ENGINEER  
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT  
JOHN M. COSTELLO, ASSESSOR III

PURPOSE OF MEETING:

1. Replace the regular Town Board Meeting of Monday, January 17, 1977, which was cancelled due to a severe snow storm, and to act upon those matters which would have properly come before that meeting, excepting the two public hearings on the Community Development Grant Program and the proposed Dog Ordinance Amendment.
2. Set new Public Hearing dates as follows:
  - a) Community Development Grant Program - February 7, 1977 at 8:00 P.M.
  - b) Dog Ordinance Amendment - February 7, 1977 at 9:00 P.M.

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	December, 1976
Zoning Inspector	November, December, 1976
Dog Warden	December, 1976

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Youth Bureau	December 16, 1976
Recreation Commission	December 16, 1976

COMMITTEE REPORTS:

None

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town  
Board, held on January 3, 1977, as presented by the Town Clerk, be and  
hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon ~~XXXX~~ unanimously adopted.

January 24, 1977

MEMORIAL RESOLUTION

WHEREAS, Almighty God, in His infinite wisdom, has removed from our midst, JEAN M. FERRAND, in whose death we have lost a sincere and loyal friend, her community a valued and respected citizen and public employee and her family a kind and devoted member, and

WHEREAS, the recent passing of JEAN M. FERRAND has saddened the hearts of all residents of the Lancaster-Depew area and all who were honored to have in any way come in contact with her, and

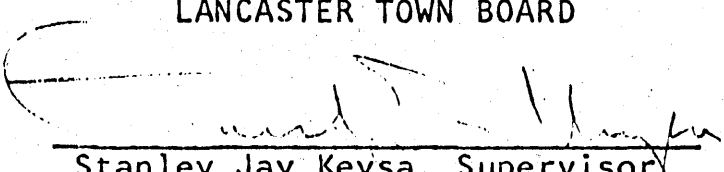
WHEREAS, JEAN M. FERRAND gave so generously of herself in dedicated community service as Secretary to the Town Attorney and in dedicated and loyal service to the people of the Town of Lancaster, and

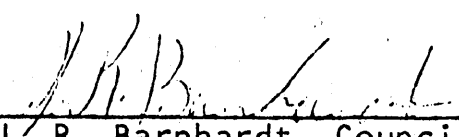
WHEREAS, we shall miss her pleasant companionship and worthy participation in our activities,

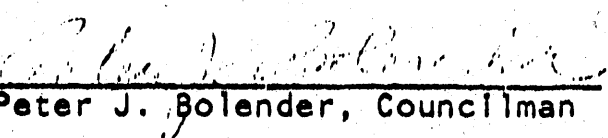
NOW, THEREFORE, BE IT

RESOLVED, that we mourn deeply the passing of our worthy and beloved friend and extend this expression of heartfelt sympathy to her family in this, their sad bereavement, confident in the knowledge that, having reached the end of her earthly journey, she has received her eternal and glorified reward in Heaven, having heard the consoling words of the Master, "Well done, thou good and faithful servant".

## LANCASTER TOWN BOARD


  
Stanley Jay Keysa, Supervisor

  
J. R. Barnhardt, Councilman

  
Peter J. Bolender, Councilman

  
Robert P. Thill, Town Clerk

  
Edward A. Berent, Councilman

  
Artel J. Metz, Councilman

  
Dominic J. Terranova, Town Attorney

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Recreation Commission has recommended that certain  
personnel of the Recreation Department be authorized to attend the annual  
Recreation Conference of New York State at Kiamesha Lake, New York, on  
January 27th - 30th, 1977;

NOW, THEREFORE, BE IT

RESOLVED, that the following persons be authorized to attend the  
annual Recreation Conference of New York State on January 27th - 30th, 1977,  
at Kiamesha Lake, New York:

John Pasquariello - Expenses not to exceed \$275.00

Gary Goetz - Expenses not to exceed \$190.00

The question of the adoption of the foregoing resolution was  
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duly~~

The resolution was thereupon unanimously adopted.

January 24, 1977

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Paragraph 10 of Section 29 of the Town Law of the State  
of New York, provides as follows:

"10. Shall prepare and file with the Town Clerk within thirty days after the expiration of each fiscal year, an annual financial report accounting for all moneys received and disbursed by him, together with the certificate, or certificates of the bank or trust company where town moneys are deposited, showing the amount of such moneys on deposit with said bank or trust company and cause a certified copy of such report to be published in the official newspaper, and in such other newspapers, if any, as the Town Board may require. In addition thereto, if and wherever required, such Supervisor shall submit to the other members of the Town Board at the time of filing such report all vouchers, cancelled checks, check stubs, ledgers, cash books, journals, and financial and accounting records of every sort required to substantiate the accuracy and completeness of such report."

and

WHEREAS, Paragraph 10-a of Section 29 of the Town Law provides as follows:

"10-a. In lieu of preparing the report required by subdivision ten of this section, the Town Board may determine, by resolution, that the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section Thirty of the General Municipal Law and the Town Clerk shall cause a summary of such report to be published within ten days after receipt thereof in a form approved by the State Comptroller in the official newspaper and in such other newspapers as the Town Board may direct."

and

WHEREAS, the accountants of the Town of Lancaster have requested that the Town Board take action in accordance with Paragraph 10-a, Section 29, of the Town Law,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby determines that the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year a copy of the annual financial report,

all in accordance with the provisions of law pertaining to preparing and publishing an accounting of all moneys received and disbursed by the Supervisor, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Clarence Rainess & Company, the Town Accountants.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~  
The resolution was thereupon unanimously adopted.

January 24 , 1977

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

RESOLVED, that the engineering firm of Krehbiel-Guay-Rugg-Hall of  
Tonawanda, New York, be and hereby is engaged to perform engineering services  
for the Town of Lancaster on an annual retainer basis for the period beginning  
January 1, 1977 and ending December 31, 1977, at the rate of \$7,000 per annum,  
to be pro-rated monthly, and

BE IT FURTHER

RESOLVED, that an agreement be entered into by and between the Town  
of Lancaster and Krehbiel-Guay-Rugg-Hall, Engineers, for said engineering  
service, and, upon approval by the Town Attorney of said Agreement, the  
Supervisor shall execute said Agreement on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~  
The resolution was thereupon unanimously adopted.

January 24, 1977



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, the position of Legal Stenographer Part-time in the office  
of the Town Attorney has become vacant by reason of the untimely death of  
Jean M. Ferrand, and

WHEREAS, the Town Attorney has recommended the appointment of  
Sheila L. Scroger, 499 Lake Avenue, Lancaster, New York, who previously served  
in that position, to said position,

NOW, THEREFORE, BE IT

RESOLVED, that Sheila L. Scroger, 499 Lake Avenue, Lancaster, New  
York, be and hereby is appointed to the position of Legal Stenographer Part-  
time in the office of the Town Attorney, effective January 17, 1977, at an  
hourly rate of \$4.90 for a period of twenty hours per week.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon <sup>dukyx</sup>unanimously adopted.

January 24, 1977

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT TO WIT:

WHEREAS, Victor H. Ott, Chief of Police of the Town of Lancaster,  
has attained the high honor of election as President of the Erie County  
Association of Chiefs of Police, and

WHEREAS, this honor brings great credit to Chief Victor H. Ott  
and to the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby recognize and commend Town  
of Lancaster Chief of Police, Victor H. Ott, upon his election as President  
of the Erie County Association of Chiefs of Police.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

<sup>duly</sup>  
The resolution was thereupon unanimously adopted.

January 24, 1977

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 4671 to 4717 Incl.	\$105,740.82
Special District Funds	No. 189 to 193 Incl.	\$ 32,042.52
Part Town Funds	No. 380 to 389 Incl.	\$ 3,619.47
Highway Funds	No. 1129 to 1134 Incl.	\$ 22,992.21
Trust & Agency Funds	No. 154 to 157 Incl.	\$ 22,183.33
Federal Revenue Sharing	No. 508 to 512 Incl.	\$ 2,386.42

The question of the adoption of the foregoing resolution was  
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

January 24, 1977

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to amend a portion of the Code of the Town of Lancaster, County of Erie, State of New York, being Chapter 13-Dogs - by making the following change thereto, as follows:

"Section 13-1. Restrictions upon dogs running at large, is hereby amended by adding thereto:

Section 13-1 . . . . .  
. . . . .

(A) Seizure of dogs running at large.

Any dog found running at large in violation of this ordinance may be seized by any dog warden, peace officer or other designated representative of the Commissioner of Agriculture and Markets of the State of New York, and shall be impounded and disposed of in accordance with the provisions of Article 7 of the Agriculture and Markets Law of the State of New York.

(B) Redemption of seized dogs.

The owner of a dog seized may redeem the dog in accordance with the applicable provisions of Article 7 of the Agriculture and Markets Law of the State of New York by producing a current, valid license for said dog and paying to the Town Clerk a sum in accordance with the following schedule as the cost of seizure:

- \$10.00 for the first seizure within a calendar year
- \$20.00 for the second seizure of the same dog within a calendar year
- \$30.00 for the third seizure of the same dog within a calendar year
- \$40.00 for the fourth seizure of the same dog within a calendar year
- \$50.00 for the fifth and any subsequent seizures of the same dog within a calendar year"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Code of the Town of Lancaster, Chapter 13, Dogs, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of February, 1977, at 9:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 24th day of January, 1977, the said Town Board will hold a Public Hearing on the 7th day of February, 1977, at 9:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Code of the Town of Lancaster, County of Erie, State of New York, Chapter 13, Dogs:

"Section 13-1. Restrictions upon dogs running at large is hereby amended by adding thereto:

Section 13-1 . . . . .  
. . . . .

(A) Seizure of dogs running at large.

Any dog found running at large in violation of this ordinance may be seized by any dog warden, peace officer or other designated representative of the Commissioner of Agriculture and Markets of the State of New York, and shall be impounded and disposed of in accordance with the provisions of Article 7 of the Agriculture and Markets Law of the State of New York.

(B) Redemption of seized dogs.

The owner of a dog seized may redeem the dog in accordance with the applicable provisions of Article 7 of the Agriculture and Markets Law of the State of New York by producing a current, valid license for said dog and paying to the Town Clerk a sum in accordance with the following schedule as the cost of seizure:

- \$10.00 for the first seizure within a calendar year
- \$20.00 for the second seizure of the same dog within a calendar year
- \$30.00 for the third seizure of the same dog within a calendar year
- \$40.00 for the fourth seizure of the same dog within a calendar year
- \$50.00 for the fifth and any subsequent seizures of the same dog within a calendar year"

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

January 24, 1977

The question of the adoption of the foregoing resolution was  
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duly~~  
The resolution was thereupon unanimously adopted.

January 24, 1977

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has contracted to participate in the County of Erie County-wide Community Development Program under Title 1 of the Housing and Community Development Act of 1974, and

WHEREAS, participation requires that the Town of Lancaster develop its application and program for said participation and that one annual Public Hearing be held by the Town Board of the Town of Lancaster in order to adequately inform the citizens of the Town of Lancaster concerning the amount of funds available for proposed community development and housing activities and to provide an adequate opportunity for citizens to participate in the development of the application.

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing regarding Community Development Project grant for 1977 anticipated to be \$75,174.00 under the Housing and Community Development Act of 1974, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of February, 1977, at 8:00 P.M. o'clock, Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

TOWN OF LANCASTER  
NOTICE OF PUBLIC HEARING

Notice to the citizens of the Town of Lancaster.

A Public Hearing will be held on February 7, 1977, at 8:00 P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, regarding the use of Federal Community Development funds in the Town of Lancaster.

The Town of Lancaster is eligible for a \$75,174.00 third-year grant under Title I of the Housing and Community Development Act of 1974. The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects or programs to meet those needs.

All citizens are urged to attend this meeting to make known their views on the Town of Lancaster's selection of projects to be funded by the Federal Community Development Grant Program.

TOWN BOARD OF THE  
TOWN OF LANCASTER

Supervisor Stanley Jay Keysa  
Councilman J.R. Barnhardt  
Councilman Edward A. Berent  
Councilman Peter J. Bolender  
Councilman Artel J. Metz

BY: ROBERT P. THILL  
Town Clerk

January 24, 1977

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

January 24, 1977



Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore made application to the Economic Development Administration, U. S. Department of Commerce, for a Federal grant to provide financial assistance for the construction of a garage for the storage of public works equipment, and

WHEREAS, the Town of Lancaster has been offered a grant in an amount not to exceed \$433,100 for said construction,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster confirm its authorization heretofore made, authorizing the Supervisor to take all action with regard to said application and hereby authorizes the Supervisor to execute such grant offer and to take any other action required in furtherance of said grant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxx~~

The resolution was thereupon unanimously adopted.

January 24, 1977

Councilman Metz requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ, WHO MOVED ITS  
ADOPTION, SEDONDED BY COUNCILMAN  
BOLENDER, TO WIT:

WHEREAS, the County of Erie has undertaken a project to revalue at full valuation, all properties in Erie County, and

WHEREAS, the consultants retained by the County of Erie and town officials have recommended the widest possible dissemination of information concerning the data collection portion and other steps in the County Revaluation Program, and

WHEREAS, the data collection phase of the County Revaluation Program will commence in the Town of Lancaster on February 9, 1977;

NOW, THEREFORE, BE IT

RESOLVED, that, the Town Board of the Town of Lancaster authorize payment for publication of the data collection form in the Lancaster Enterprise-Journal in connection with information to be provided in said publication to adequately inform Town of Lancaster real property owners as to the data collection phase of the county-wide revaluation program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

January 24, 1977

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law of the State of New York, it is agreed by and between the Town Superintendent of Highways of the Town of Lancaster and the Town Board of the Town of Lancaster, that monies levied and collected in the Town of Lancaster for the repair and improvement of highways and received from the State for State Aid for the repair of highways, will be expended in accordance with the agreement executed by the members of the Town Board of the Town of Lancaster and the Town Superintendent of Highways of the Town of Lancaster dated January 24, 1977.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

January 24, 1977

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ, TO WIT:

WHEREAS, the Town of Lancaster has experienced an extreme snow emergency brought about by continuing and excessive snow-fall and drifting conditions, closing most north-south roads for extended periods of time at least twice in the past two weeks, necessitating the hiring of private equipment and operators to keep the road network of the Town of Lancaster open to protect the public health and welfare, and

WHEREAS, extended weather forecasts indicate more storms of similar nature, and

WHEREAS, it is in the public interest to purchase a snow blower for the Highway Department of the Town of Lancaster to cope with the present emergency situation and future snow emergencies which are predicted to arise this season, and

WHEREAS, the present and predicted conditions represent, in the opinion of the Town Board of the Town of Lancaster, a public emergency or condition creating circumstances affecting the life, health, safety and property of the inhabitants of the Town of Lancaster, requiring immediate action which cannot await competitive bidding within the meaning and intent of §103(4) of the General Municipal Law of the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that:

Section 1: The Superintendent of Highways of the Town of Lancaster be and hereby is authorized to purchase, without competitive bidding, one new Sicard, Model 2200, Snow Blower, equipped with diesel engine, from P-D SERVICE, INC., at a

total purchase price of \$17,699 in accordance with the letter of the Supervisor, dated January 22, 1977, and the offer of P-D SERVICE, INC., dated January 24, 1977, both on file with the Town Clerk of the Town of Lancaster.

Section 2: That the following Federal Revenue Sharing Fund transfer be and hereby is directed to be made:

To:	CF-1-5130 Highway Machinery	
	.225 Trucks and related equipment	-\$18,000.00
From:	CF-1-1990 Priority Expenditures	18,000.00

and that payment for said equipment be made from said Highway Machinery Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

January 24, 1977

STATUS REPORT ON UNFINISHED BUSINESS:

1. Rezone Petition, Broadway Steinfeldt Inc.  
On January 3, 1977, the Town Board held a Public Hearing on this matter and reserved decision.
2. Rezone Petition, Guenther H. and Eva G. Burkhardt  
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board for review and report.
3. Subdivision Approval, Josela Enterprises, Countryside Subdivision  
On February 6, 1976, the Planning Board granted a preliminary approval to the subdivider for this subdivision. The subdivider must now proceed with Step 5 of "Steps for Control of Land Subdivision" and proceed with the preparation of a final plat.
4. Subdivision Approval, Lancaster Industrial Park  
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board, Town Engineers and Planning Consultant for review and report.
5. Request Speed Evaluation - South Lake Avenue  
On December 29, 1976, the New York State Department of Transportation recommended a 40 mph linear speed zone for the entire length of Lake Avenue within the Town of Lancaster.
6. Proposed Discharge of Firearms Ordinance  
On October 18, 1976, the Town Board held a Public Hearing on this proposed ordinance and reserved decision.
7. Request Speed Evaluation - Genesee Street-Harris Hill to Stony Road  
On December 22, 1976, the New York State Department of Transportation acknowledged receipt of the Town Board's request for a survey at this location and when the study is complete, they will notify the Town Board of the results.
8. Subdivision Approval, Pleasantmeadow Subdivision  
On January 5, 1977, the Planning Board notified the Town Board of their approval "in principal" of this proposed subdivision.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. Jerry Oley, 20 Parkdale Drive, Lancaster, New York, presented to the Town Board a petition in opposition to the proposed rezone of the Broadway Steinfeldt area. Mr. Oley indicated that the petition contained approximately 250 signatures.

COMMUNICATIONS:

DISPOSITION

1. Copy of the December, 1976 Report of the Dog Warden.	<u>R &amp; F</u>
2. Copy of the 1976 Yearly Report of the Dog Warden.	<u>R &amp; F</u>
3. Association of Towns to Town Clerk - Notification of Annual Meeting of the Association of Towns at New York City on 2/21, 2/22, and 2/23/77 with transmittal of Proposed Position Statements for 1977 Legislative Program.	<u>R &amp; F</u>
4. N.Y.S. Dept. of Transportation to Town Clerk - Notification that a 40 mph speed zone is warranted for the entire length of Lake Avenue and a request for a revised TE 9 form.	<u>Attorney</u>
5. Copy of the November and December, 1976 Report of the Training Inspector.	<u>R &amp; F</u>
6. Copy of the December, 1976 Report of the Town Clerk.	<u>R &amp; F</u>
7. Copy of the 12/16/76 Minutes of the Recreation Commission.	<u>R &amp; F</u>
8. M & T to Supervisor - Notification that the rate paid on Municipal Savings Accounts will be lowered to 4.5% compounded daily, effective 1/1/77.	<u>R &amp; F</u>
9. Marine Midland Bank to Supervisor - Notification that the rate paid on public funds savings account will be lowered to 4.5% effective 2/1/77, the same applying to any new accounts opened after 12/22/76.	<u>R &amp; F</u>
10. Erie & Nia. Counties Reg. Planning Board to Supervisor - Notification of Information Conference to be held at the Planning Board office on 1/17/77 in regards to Village of Alden - Sewage Treatment Improvements.	<u>Supervisor</u>
11. Leg. Norman Wolf to Supervisor - Notification that the County Leg. has agreed to fund our contract libraries at a level set by the County Exec. in his "Green Budget".	<u>R &amp; F</u>
12. Chair., Youth Board to Town Board - Transmittal of a 'position statement' and a statement regarding the Mental Health Advisory Board in connection with services provided by the Counseling Center and Corporation IV.	<u>Human Services Comm.</u>
13. Chair., Narcotics Guidance Council to Town Board - Notification of concern with regards to control over delivery of help to residents and surveillance of it.	<u>Human Services Comm.</u>

COMMUNICATIONS CONT'D.:DISPOSITION

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| 14. Chief, Bowmansville Vol. Fire Assn. to Town Attorney -<br>Transmittal of "How the State Fire Prevention Code can help Your Municipality" with recommendation that the State Fire Prevention Code be adopted; that if adopted, a Fire Marshall be appointed. | Attorney<br>Public & Safety Comm. |
| 15. Copy of the Municipal Affairs Review regarding the "New" Federal Revenue Sharing Program.   | R & F                             |
| 16. Leg. Norman Wolf to Supervisor -<br>Transmittal of his Legislative Report concerning the 1977 County Budget.  | R & F                             |
| 17. Police Chief to Supervisor -<br>Notification of broken portion of sidewalk to the entrance of police headquarters.  | Highway Supt.                     |
| 18. Acting Sec'y, Planning Board to Town Board -<br>Notification of approval, in principal, of the Pleasantview Meadows Subdivision.  | R & F                             |
| 19. Copy of letter from Town Clerk to Chair., Planning Board transmitting application and drawings in connection with "Old Schoolhouse Common" Subdivision.   | R & F                             |
| 20. Traffic Eng., Div. of Highways, County Dept. of Public Works to Town Board -<br>Request the Town collect pertinent data for each Town traffic signal in connection with "Right Turn on Red".  | Police Chief                      |
| 21. Copy of a Public Notice from the N.Y.S. Public Service Commission of a hearing to be held on 1/27/77 at Monticello, N.Y. in regards to electric and gas rates.  | R & F                             |
| 22. Leg. Slisz to Town Board -<br>Notification of receipt of resolution opposing the proposed changes in fees for certification of sewage disposal systems and water supplies and that this matter will be given serious attention.                             | R & F                             |
| 23. Leg. Wolf to Town Clerk -<br>Notification of receipt of letter in regards to inspection procedure for private sewer disposal systems and that he will continue to work for the repeal of mandatory inspections and continued inspections at a cost basis.   | R & F                             |
| 24. Sec'y, LVAC to Town Board -<br>Notification that Mr. Albert Rinow has been expelled from the Corps.   | Supervisor<br>R & F               |
| 25. Copy of a petition signed by residents of the Town in favor of the rezoning of the Bowen and Steinfeldt area.   | R & F                             |



COMMUNICATIONS CONT'D.:DISPOSITION

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| 26. Town Clerk to Town Board -<br>Resume of actions taken in response to<br>directions and resolutions of the Town<br>Board Meeting of 1/3/77.  | <u>R &amp; F</u><br>_____<br>_____<br>_____                               |
| 27. Town Attorney to Town Board -<br>Transmittal of article which points up<br>need for employees' errors and omissions<br>liability insurance.   | <u>R &amp; F</u><br>_____<br>_____<br>_____                               |
| 28. Copy of Notice from the Off. of the<br>Secretary of the Treasury notifying the<br>Town that the Revenue Sharing payment<br>has been made directly to the financial<br>institution designated on the Standard<br>Form 1199A and that the direct payment<br>date was 1/10/77. | <u>R &amp; F</u><br>_____<br>_____<br>_____<br>_____<br>_____             |
| 29. Copy of letter from Town Engineers to<br>Town Attorney setting forth spare<br>apportionments for proposed Public Works<br>Building.   | <u>Attorney</u><br><u>R &amp; F</u><br>_____<br>_____                     |
| 30. Copy of Notice from Liberty National Bank<br>that effective 1/15/77 interest will be<br>paid on Town's Savings Account at an<br>annual calculated rate of 4.5%.   | <u>R &amp; F</u><br>_____<br>_____<br>_____                               |
| 31. Marrano Enterprises to Town Board -<br>Regarding an easement of 8.25' along<br>Warner Road from the Village of Depew<br>line to Pleasant View for the proposed<br>Pleasant View Meadows Subdivision.  | <u>Engineers</u><br><u>Planning Board</u><br>_____<br>_____<br>_____      |
| 32. Planning Consultants to Supervisor -<br>Notification of results of funding in<br>connection with Local Public Works<br>Capital Development and Investment<br>Program Applications.  | <u>R &amp; F</u><br>_____<br>_____<br>_____                               |
| 33. Supervisor to Town Board -<br>Notification of investment of funds<br>in the amount of \$80,000. with rate<br>of interest at 4.5%.   | <u>R &amp; F</u><br>_____<br>_____<br>_____                               |
| 34. V.P., Land Planning & Devel., Josela<br>Enterprises to Supervisor -<br>Regarding water supply to Townedge<br>complex.   | <u>Supervisor</u><br><u>R &amp; F</u><br><u>Chief Nowakowski</u><br>_____ |
| 35. Copy of Memo from Cong. Jack Kemp<br>regarding the Public Works Program.  | <u>R &amp; F</u><br>_____<br>_____  |
| 36. Copy of letter from Supervisor to N.Y.S.<br>Dept. of Environ. Conser. recommending<br>a study be undertaken in connection with<br>extension of ECSD No. 4 into Town Line<br>Area of Town and Alden Town, County Home<br>and Infirmary.                                      | <u>R &amp; F</u><br>_____<br>_____<br>_____<br>_____<br>_____             |
| 37. Copy of the E.D.A. Public Works Employment<br>Act criteria.   | <u>Engineers</u><br><u>R &amp; F</u><br>_____                             |

COMMUNICATIONS CONT'D.:

DISPOSITION

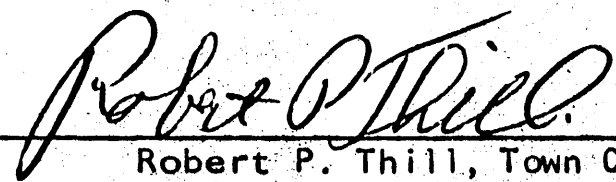
38. Town Clerk to Town Board - Transmittal of the Town Clerk's 1976 Annual Report of Receipts and Disbursements.	R & F
39. Highway Sup't. to Town Board - Request that bids be invited for 1977 Highway material needs.	R & F
40. Town Attorney to Town Board - Recommendation that Sheila L. Scroger be employed as a Legal Stenographer, Part-time, in the Town Attorney's office at \$4.90 per hour.	R & F
41. Town Clerk to Town Board - Issuance of summons to delinquent dog owners.	R & F
42. Copy of a resident-singed petition requesting a denial of the Broadway- Steinfeldt Rezone.	R & F
43. Copy of letter to County Exec. from Pres., Lancaster Board of Education expressing concern over the closing of Como Park and the sharp reduction in library service.	R & F
44. Copy of letter to various organizations, committees and churches in the Town in connection with the Community Devel. Program and inviting participation at the Public Hearing to be held 1/17/77.	R & F
45. Copy of a notice of a Public Rally to Save Our Parks at Como Park on 1/29/77. at 11:00 A.M.	Police Chief R & F
46. Copy of the Youth Bureau Minutes of meeting held 12/16/76.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BERENT, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 7:30 P.M. out of respect  
to:

Mildred Basher  
William Kihl  
Edward Kirkwood

Signed

  
Robert P. Thill, Town Clerk